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NOTICE OF ALLOWANCE AND FEE(S) DUE

29989 7590 04/18/2008

HICKMAN PALERMO TRUONG & BECKER, LLP
2055 GATEWAY PLACE
SUITE 550
SAN JOSE, CA 95110

EXAMINER

WANG, RONGFA PHILIP

ART UNIT

PAPER NUMBER

2191

DATE MAILED: 04/18/2008

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/726,272

12/01/2003

Satyanarayana Raju

50325-0847

3352

TITLE OF INVENTION: DYNAMIC HANDLING OF MULTIPLE SOFTWARE COMPONENT VERSIONS FOR DEVICE MANAGEMENT

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1440	\$0	\$0	\$1440	07/18/2008

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

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If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

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**Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE
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INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

29989 7590 04/18/2008

HICKMAN PALERMO TRUONG & BECKER, LLP
2055 GATEWAY PLACE
SUITE 550
SAN JOSE, CA 95110

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I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/726,272 12/01/2003 Satyanarayana Raju 50325-0847 3352

TITLE OF INVENTION: DYNAMIC HANDLING OF MULTIPLE SOFTWARE COMPONENT VERSIONS FOR DEVICE MANAGEMENT

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
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nonprovisional NO \$1440 \$0 \$0 \$1440 07/18/2008

EXAMINER	ART UNIT	CLASS-SUBCLASS
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WANG, RONGFA PHILIP 2191 717-170000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
- ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 _____
- (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 _____
- 3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE (B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent) : ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee
- ☐ Publication Fee (No small entity discount permitted)
- ☐ Advance Order - # of Copies _____

4b. Payment of Fee(s); (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

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Date _____

Typed or printed name _____

Registration No. _____

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/726,272	12/01/2003	Satyanarayana Raju	50325-0847	3352
29989	7590	04/18/2008	EXAMINER	
HICKMAN PALERMO TRUONG & BECKER, LLP 2055 GATEWAY PLACE SUITE 550 SAN JOSE, CA 95110			WANG, RONGFA PHILIP	
			ART UNIT	PAPER NUMBER
			2191	
DATE MAILED: 04/18/2008				

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 741 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 741 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

Notice of Allowability	Application No.	Applicant(s)	
	10/726,272	RAJU ET AL.	
	Examiner	Art Unit	
	PHILIP WANG	2191	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to RCE filed on 1/4/2008.
2. ☒ The allowed claim(s) is/are 1,5-8,10,11,13,15-19,21-31 and 33-40.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

1. This is in response to amendment filed on 2/8/2008.
2. Claim objects to claims 15, 21, and 31-40 have been withdrawn in view of the amendment to the claims.
3. The 35 USC § 101 rejections to claims 18-23 have been withdrawn in view of the Applicant's amendment to the specification.
4. The 35 USC § 112 2nd paragraph rejections of claim 10, 15, 17, 21, 30, 33 and 35 have been withdrawn in view of the Applicant's amendment to the claims.
5. Claims 1, 7, 11, 18, and 24 have been amended. Claims 41-46 are newly added. And claim 32 has been canceled.
6. Claims 1, 5-8, 10-11, 13, 15-19, and 21-31, 33-40 are allowed.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Christopher Tanner (Reg. No. 41,518) on April 9, 2008 to obviate any potential issues and to put the claims in condition for allowance.

7. The application has been amended as follows:

The following currently amended claims replace all previously presented claims:

1. (currently amended) A method for managing versions of a plurality of software components on a network, comprising:

detecting a version change to a first software component associated with a network device out of the plurality of the software components;

automatically identifying a second software component out of the plurality of the software components that needs to be changed to be compatible with the first software component, wherein the second software component depends on the first software component;

assessing the software dependencies and compatibilities of at least the first and second software components;

downloading upgrades of the first and second software components from a network device;

storing the upgrades of the first and second software components in a component cache;

a version manager maintaining version information of the upgrades of the first and second software components;

checking the version information of the upgrades of the first and second software components stored in the component cache;

storing the version manager in the component cache;

wherein the step of assessing the software dependencies and compatibilities is performed by a component manager which is directly connected to the component cache, and reads from and writes to the component cache;

the version manager maintaining the version information of the first and second software components of the network device including requesting the version information from the network device;

the version manager passing the version information to the component manager;
determining whether the component cache contains a current copy of the version manager;

requesting and receiving a current copy of the version manager from the network device;
and

retrieving a current copy of the version manager from the component cache.

7. (currently amended) A method for managing versions of a plurality of software components on a network, comprising:

detecting a version change to a first software component out of the plurality of the software components;

automatically identifying a second software component out of the plurality of the software components that needs to be changed to be compatible with the first software component, wherein the second software component depends on the first software component;

assessing the software dependencies and compatibilities of at least the first and second upgrades of software components;

collecting attributes of the second software component; and

automatically manipulating the second software component according to the attributes, wherein the manipulating step further comprises downloading a copy of an upgrade of the second software component and storing it within a component cache;

a version manager maintaining version information of upgrades of the first and second software components;
storing the upgrades of the first and second software components in a component cache;
and
storing the version manager in the component cache;
wherein the step of assessing the software dependencies and compatibilities is performed by a component manager which is directly connected to the component cache, and reads from and writes to the component cache;
the version manager maintaining the version information of the first and second software components of a network device including requesting the version information from the network device;
the version manager passing the version information to a component manager;
determining whether the component cache contains a current copy of the version manager; and
requesting and receiving a current copy of the version manager from the network device;
and
retrieving a current copy of the version manager from the component cache.

11. (currently amended) An apparatus for managing versions of a plurality of software components on a network, comprising:

at least one processor and a memory;

a user interface; and

a processing engine, coupled to the user interface, wherein the processing engine further comprises:

an event manager that detects a version change to a first software component out of the plurality of the software components;

a component manager that in response obtains version information of first software component from a version manager and automatically identifies an upgrade to a second software component out of the plurality of the software components that needs to be changed to be compatible with the first software component, wherein the second software component depends on the first software component;

wherein the component manager automatically downloads the upgrade of the second software component and stores a copy of the upgrade of the second software component in a component cache, wherein the component manager is directly connected to the component cache and reads from and writes to the component cache;

a version manager maintaining version information of the upgrade of the second software component of a network device including requesting the version information from the network device;

checking the version information of the upgrade of the second software component stored in the component cache; [[and]]

storing the version manager in the component cache;

the version manager passing the version information to the component manager;
determining whether the component cache contains a current copy of the version manager;

requesting and receiving a current copy of the version manager from the network device; and

retrieving a current copy of the version manager from the component cache.

18. (currently amended) A computer-readable medium storing one or more sequences of instructions for managing a plurality of network devices on a network, which instructions, when executed by one or more processors, cause the one or more processors to:

detect a version change to a first software component out of the plurality of the software components; and

automatically identify a second software component out of the plurality of the software components that needs to be changed to be compatible with the first software component, wherein the second software component depends on the first software component;

assess the software dependencies and compatibilities of at least the first and second upgrades of software components performed by a component manager which is directly connected to the component cache, and reads from and writes to the component cache;

download a copy of an upgrade of the second software component; and

store a copy of the upgrade of the second software component in a component cache;

a version manager maintaining version information of the upgrades of the first and second software components of a network device including requesting the version information from the network device;

check[ing] the version information of the upgrades of the first and second software components stored in the component cache; and

store [storing] the version manager in the component cache.

pass the version information to the component manager;

determine whether the component cache contains a current copy of the version manager;

request and receive a current copy of the version manager from the network device; and
retrieve a current copy of the version manager from the component cache.

24. (currently amended) An apparatus for managing versions of a plurality of software components on a network, comprising:

at least one processor and a memory;

a user interface means; and

a processing means, coupled to the user interface, wherein the processing means further includes:

a detection means for detecting a version change to a first software component out of the plurality of the software components; and

a component manager means, stored within a component cache, for assessing the software dependencies and compatibilities for upgrades of the plurality of software components wherein the component manager means is directly connected to the component cache, reads from and writes to the component cache, and assesses the software dependencies and compatibilities of the software components;

a compatibility verification means for automatically identifying a second software component out of the plurality of the software components that needs to be changed to be compatible with the first software component, wherein the second software component depends on the first software component;

a version manager means for maintaining version information of the upgrade of the second software component of a network device including requesting the version information from the network device and passing the version information to the component manager;

checking the version information of the upgrade of the second software component stored in the component cache;
storing the version manager in the component cache;
determining whether the component cache contains a current copy of the version manager;
requesting and receiving a current copy of the version manager from the network device; and
retrieving a current copy of the version manager from the component cache.

41-46. (Canceled)

-end of currently amended claims-

8. The following is an examiner's statement of reasons for allowance:

The cited prior art, Mayers (2002/0019864), or Erickson et al. (2003/0177223), taken alone or in combination fail to teach the limitation "wherein the step of assessing the software dependencies and compatibilities is performed by a component manager which is directly connected to the component cache, and reads from and writes to the component cache; the version manager maintaining the version information of the first and second software components of the network device including requesting the version information from the network device; the version manager passing the version information to the component manager; determining whether the component cache contains a current copy of the version manager; requesting and receiving a current copy of the version manager from the network device; and

Art Unit: 2191

retrieving a current copy of the version manager from the component cache. ” as recited in independent claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip Wang whose telephone number is 571-272-5934. The examiner can normally be reached on Mon - Fri 8 - 44:00PM. Any inquiry of general nature or relating to the status of this application should be directed to the TC2100 Group receptionist: 571-272-2100.

If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, Wei Zhen can be reached on 571-272-3708. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Wei Zhen/
Supervisory Patent Examiner, Art Unit 2191

